

that puts in place a program asking Americans to do certain things, not forcing them but asking them.

I hope we will look at new sources of energy, such as nuclear power, wind energy, and solar energy—all the sources that are renewable—and producing in our own country, creating the jobs in our country rather than exporting them overseas, giving good living wages to people in our country to drill for our own natural resources. That is a balanced energy package. Anything less would be an abdication of the responsibility of the Senate.

I thank the Chair, and I yield the floor.

### RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:34 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. CANTWELL).

### NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001—Continued

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 2917, AS FURTHER MODIFIED

Mr. BINGAMAN. Madam President, I ask unanimous consent that the amendment before the Senate be modified with the language that is already at the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment (No. 2917), as further modified, is as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Energy Policy Act of 2002”.

#### SEC. 2. TABLE OF CONTENTS.

- Sec. 1. Short title.
- Sec. 2. Table of contents.

#### DIVISION A—RELIABLE AND DIVERSE POWER GENERATION AND TRANSMISSION

##### TITLE I—REGIONAL COORDINATION

- Sec. 101. Policy on regional coordination.
- Sec. 102. Federal support for regional coordination.

##### TITLE II—ELECTRICITY

###### Subtitle A—Amendments to the Federal Power Act

- Sec. 201. Definitions.
- Sec. 202. Electric utility mergers.
- Sec. 203. Market-based rates.
- Sec. 204. Refund effective date.
- Sec. 205. Transmission interconnections.
- Sec. 206. Open access transmission by certain utilities.
- Sec. 207. Electric reliability standards.
- Sec. 208. Market transparency rules.
- Sec. 209. Access to transmission by intermittent generators.
- Sec. 210. Enforcement.

###### Subtitle B—Amendments to the Public Utility Holding Company Act

- Sec. 221. Short title.

- Sec. 222. Definitions.
- Sec. 223. Repeal of the Public Utility Holding Company Act of 1935.
- Sec. 224. Federal access to books and records.
- Sec. 225. State access to books and records.
- Sec. 226. Exemption authority.
- Sec. 227. Affiliate transactions.
- Sec. 228. Applicability.
- Sec. 229. Effect on other regulations.
- Sec. 230. Enforcement.
- Sec. 231. Savings provisions.
- Sec. 232. Implementation.
- Sec. 233. Transfer of resources.
- Sec. 234. Inter-agency review of competition in the wholesale and retail markets for electric energy.
- Sec. 235. GAO study on implementation.
- Sec. 236. Effective date.
- Sec. 237. Authorization of appropriations.
- Sec. 238. Conforming amendments to the Federal Power Act.

###### Subtitle C—Amendments to the Public Utility Regulatory Policies Act of 1978

- Sec. 241. Real-time pricing standard.
- Sec. 242. Adoption of additional standards.
- Sec. 243. Technical assistance.
- Sec. 244. Cogeneration and small power production purchase and sale requirements.
- Sec. 245. Net metering.

###### Subtitle D—Consumer Protections

- Sec. 251. Information disclosure.
- Sec. 252. Consumer privacy.
- Sec. 253. Unfair trade practices.
- Sec. 254. Applicable procedures.
- Sec. 255. Federal Trade Commission enforcement.
- Sec. 256. State authority.
- Sec. 257. Application of subtitle.
- Sec. 258. Definitions.

###### Subtitle E—Renewable Energy and Rural Construction Grants

- Sec. 261. Renewable energy production incentive.
- Sec. 262. Assessment of renewable energy resources.
- Sec. 263. Federal purchase requirement.
- Sec. 264. Rural construction grants.
- Sec. 265. Renewable portfolio standard.
- Sec. 266. Renewable energy on Federal land.

#### TITLE III—HYDROELECTRIC RELICENSING

- Sec. 301. Alternative mandatory conditions and fishways.
- Sec. 302. Charges for tribal lands.
- Sec. 303. Disposition of hydroelectric charges.
- Sec. 304. Annual licenses.
- Sec. 305. Enforcement.
- Sec. 306. Establishment of hydroelectric relicensing procedures.
- Sec. 307. Relicensing study.
- Sec. 308. Data collection procedures.

#### TITLE IV—INDIAN ENERGY

- Sec. 401. Comprehensive Indian energy program.
- Sec. 402. Office of Indian Energy Policy and Programs.
- Sec. 403. Conforming amendments.
- Sec. 404. Siting energy facilities on tribal lands.
- Sec. 405. Indian Mineral Development Act review.
- Sec. 406. Renewable energy study.
- Sec. 407. Federal Power Marketing Administrations.
- Sec. 408. Feasibility study of combined wind and hydropower demonstration project.

#### TITLE V—NUCLEAR POWER

##### Subtitle A—Price-Anderson Act Reauthorization

- Sec. 501. Short title.

- Sec. 502. Extension of Department of Energy indemnification authority.
- Sec. 503. Department of Energy liability limit.
- Sec. 504. Incidents outside the United States.
- Sec. 505. Reports.
- Sec. 506. Inflation adjustment.
- Sec. 507. Civil penalties.
- Sec. 508. Effective date.

##### Subtitle B—Miscellaneous Provisions

- Sec. 511. Uranium sales.
  - Sec. 512. Reauthorization of thorium reimbursement.
  - Sec. 513. Fast Flux Test Facility.
- #### DIVISION B—DOMESTIC OIL AND GAS PRODUCTION AND TRANSPORTATION
- ##### TITLE VI—OIL AND GAS PRODUCTION
- Sec. 601. Permanent authority to operate the Strategic Petroleum Reserve.
  - Sec. 602. Federal onshore leasing programs for oil and gas.
  - Sec. 603. Oil and gas lease acreage limitations.
  - Sec. 604. Orphaned and abandoned wells on Federal lands.
  - Sec. 605. Orphaned and abandoned oil and gas well program.
  - Sec. 606. Offshore development.
  - Sec. 607. Coalbed methane study.
  - Sec. 608. Fiscal policies to maximize recovery of domestic oil and gas resources.

- Sec. 609. Strategic Petroleum Reserve.

#### TITLE VII—NATURAL GAS PIPELINES

##### Subtitle A—Alaska Natural Gas Pipeline

- Sec. 701. Short title.
- Sec. 702. Findings.
- Sec. 703. Purposes.
- Sec. 704. Issuance of certificate of public convenience and necessity.
- Sec. 705. Environmental reviews.
- Sec. 706. Federal coordinator.
- Sec. 707. Judicial review.
- Sec. 708. Loan guarantee.
- Sec. 709. Study of alternative means of construction.
- Sec. 710. Savings clause.
- Sec. 711. Clarification of authority to amend terms and conditions to meet current project requirements.

- Sec. 712. Definitions.
- Sec. 713. Sense of the Senate.

##### Subtitle B—Operating Pipelines

- Sec. 721. Application of the Historic Preservation Act to operating pipelines.
- Sec. 722. Environmental review and permitting of natural gas pipeline projects.

#### DIVISION C—DIVERSIFYING ENERGY DEMAND AND IMPROVING EFFICIENCY

##### TITLE VIII—FUELS AND VEHICLES

##### Subtitle A—CAFE Standards and Related Matters

- Sec. 801. Average fuel economy standards for passenger automobiles and light trucks.
- Sec. 802. Fuel economy truth in testing.
- Sec. 803. Ensuring safety of passenger automobiles and light trucks.
- Sec. 804. High occupancy vehicle exception.
- Sec. 805. Credit trading program.
- Sec. 806. Green labels for fuel economy.
- Sec. 807. Light truck challenge.
- Sec. 808. Secretary of Transportation to certify benefits.
- Sec. 809. Department of Transportation engineering award program.
- Sec. 810. Cooperative technology agreements.

##### Subtitle B—Alternative and Renewable Fuels

- Sec. 811. Increased use of alternative fuels by federal fleets.